

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LORI MOECK, in her capacity
as parent and natural guardian
of C.M. and A.M.; C.M., a minor;
and A.M., a minor,

Plaintiffs

v.

PLEASANT VALLEY SCHOOL
DISTRICT; DOUGLAS C.
ARNOLD, Superintendent of
Schools, Pleasant Valley School
District; ANTHONY A. FADULE,
Assistant Superintendent of
Schools, Pleasant Valley School
District; JOHN J. GRESS, Principal,
Pleasant Valley School District;
MARK GETZ, Wrestling Coach
Pleasant Valley School District,
Defendants

No. 3:13cv1305
(Judge Munley)

.....
ORDER

AND NOW, to wit, this 15th of April 2016, it is hereby ordered as follows:

Defendant Mark Getz' motion for partial summary judgment (Doc. 123) is hereby **GRANTED**. Summary judgment is **GRANTED**, and the Clerk of Court is directed to enter judgment in favor of Defendant Getz and against Plaintiff C.M., on the following counts:

Count I-excessive force/substantive due process;

Count II-state-created danger theory;

Count IV-intentional infliction of emotional distress.

We decline to exercise jurisdiction over the sole remaining count involving Defendant Getz, Count III, assault and battery. Count III is **DISMISSED** without prejudice.

BY THE COURT:

s/ James M. Munley
~~JUDGE JAMES M. MUNLEY~~
United States District Court